



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Patrick T. McMullen , et al.)
Serial No.: 09/865,015) Examiner: Thanh Lam
Filed: May 23, 2001) Art Unit: 2834
For: **MAGNETIC THRUST BEARING WITH**)
PERMANENT BIAS FLUX)
Atty. Dkt. No.: 7067-101XX/09805786)

STATUS REQUEST

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that this correspondence is being transmitted by facsimile (703/305-1013) to the United States Patent and Trademark Office, Commissioner for Patents, P. O. BOX 1450, Alexandria, VA 22313.

Date: July 18, 2003


Jean Bove

865 South Figueroa Street, 29th Floor
Los Angeles, California 90017-2576

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

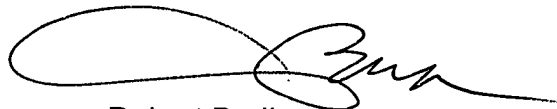
Enclosed is a copy of a Pair Search Result for the above-identified application, Exhibit A. A response to Paper No. 22 of January 9, 2003 was filed on January 27, 2003. However, it is not listed on the File Contents History.

We are enclosing a copy of the January 27, 2003 which was faxed to the PTO and we are enclosing a copy of the fax receipt showing that the pages were received by the PTO along with the required Petition for Extension of Time, Exhibit B.

Ms. Sale is no longer with Fulbright & Jaworski. Ms. Nancy Nolen, her secretary at the time Ms. Sale was with this firm, had made several telephone calls to the PTO and talked to Mr. Narcavage as well as Examiner Lam who instructed her to fax the response to Mr. Narcavage. Copies of her notes to the file are attached as Exhibit C.

We are faxing this status request to Mr. Narcavage and forwarding a confirmation copy via Express Mail to Examiner Lam for his information and file in an effort to bring the file contents current and reconsider the rejections and pass the application to allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Berliner', with a large, stylized loop at the beginning.

Robert Berliner
Reg. No. 20,121

Date: July 18, 2003

Tel. No. 213-892-9237
Fax No. 213-680-4518

Confirmation Report - Memory Send

Page : 001
Date & Time: 27-Jan-03 10:45am
Line 1 : 12138929684
Line 2 :
Machine ID :

Job number : 854
Date : 27-Jan 10:39am
To : 8101270980578617033051013
Number of pages : 011
Start time : 27-Jan 10:39am
End time : 27-Jan 10:45am
Pages sent : 011
Status : OK
Job number : 854

*** SEND SUCCESSFUL ***

FULBRIGHT & JAWORSKI L.L.P.
A REGISTERED LIMITED LIABILITY PARTNERSHIP
885 SOUTH FIGUEROA STREET, 29TH FLOOR
LOS ANGELES, CALIFORNIA 90017
WWW.FULBRIGHT.COM

TSALE@FULBRIGHT.COM
DIRECT DIAL: (213) 892-9200

TELEPHONE: (213) 892-9200
FACSIMILE: (213) 680-4518

January 27, 2003
Time: A.M.

TO: Patent and Trademark Office
Attn: Mr. Narcevage
Office of Patent Legal Administration
Facsimile Center

FROM: Terri L. Sale, Esq.
OUR REF: 7067-101/09805786
TELEPHONE: 213/892-9200

Total pages, including cover letter: 11

FAX NUMBER: (703) 305-1013

If you do NOT receive all of the pages, please telephone us at 213/892-9200, or facsimile us at 213/680-4518.

Applicant: Patrick T. McMullen et al.
Filed: May 23, 2001
Serial No.: 09/865,015

Examiner: Thanh Lam
Group Art Unit: 2834

Title: MAGNETIC THRUST BEARING WITH PERMANENT BIAS FLUX
Document Name: PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(2 copies); and AMENDMENT in response to the Notice of Non-Compliant Amendment
(37 CFR 1.121) (copy attached)

Please charge any additional fees or credit overpayment to Deposit Account 50-0337.

By: Terri L. Sale
Name: Terri L. Sale, Esq.
Reg. No. 45,066

I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

Printed Name: NANCY NOLEN
Signature: Nancy Nolen

Date: JANUARY 27, 2003

25253900.1

AUSTIN • DALLAS • HONG KONG • HOUSTON • LONDON • LOS ANGELES • MINNEAPOLIS • MUNICH • NEW YORK • SAN ANTONIO • WASHINGTON DC

EXHIBIT B

FULBRIGHT & JAWORSKI L.L.P.

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865 SOUTH FIGUEROA STREET, 29TH FLOOR
LOS ANGELES, CALIFORNIA 90017
WWW.FULBRIGHT.COM

MEMORANDUM

TO: File
FROM: Nancy Nolen *NY*
DATE: January 22, 2003 **MATTER NO.:** 7067-101/09805786
RE: Telephone call to PTO regarding January 9, 2003 Failure to Acceptably Respond to Notice of Non-Compliant Amendment

I called the Office of Patent Legal Administration (703/305-1795) and spoke with Mr. Narcavage. I told him that we had facsimiled the Response to Notice of Non-Compliant Amendment, including the marked-up version of the replacement paragraph that accompanied the Amendment filed November 15, 2002, on December 4, 2002 to the facsimile number provided for the Art Unit (703/305-3432) and had a facsimile confirmation sheet showing 20 pages going through. Mr. Narcavage said he would track down the file and find out what happened to the fax, etc., and would call me back.

NN

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865 SOUTH FIGUEROA STREET, 29TH FLOOR
LOS ANGELES, CALIFORNIA 90017
WWW.FULBRIGHT.COM

MEMORANDUM

TO: File
FROM: Nancy Nolen *NN*
DATE: January 23, 2003 **MATTER NO.:** 7067-101/09805786
RE: Telephone call TO Mr. Narcavage of the Office of Patent Legal Administration
(703/305-1795) regarding the January 9, 2003 Failure to Acceptably Respond to
Notice of Non-Compliant Amendment Letter

Mr. Narcavage said they had not yet located the "case". He said to give him the rest of the day and if they have not found it by tomorrow, he is going to have me facsimile the papers to him at that time (January 24, 2003).

NN

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
865 SOUTH FIGUEROA STREET, 29TH FLOOR
LOS ANGELES, CALIFORNIA 90017
WWW.FULBRIGHT.COM

MEMORANDUM

TO: File

FROM: Nancy Nolen

DATE: January 27, 2003

MATTER NO.: 7067-101

RE:

I called Mr. Narcavage at the Office of Patent Legal Administration regarding an Amendment that was being fax-filed this morning to 703/305-1013. He said that he would walk the Amendment over to the other office when he receives it and they will continue looking for the file.

NN

EXHIBIT C



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

PA/TS

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/865,015	05/23/2001	Patrick T. McMullen	7067-101	3769

167 7590 11/26/2002

FULBRIGHT AND JAWORSKI L L P
PATENT DOCKETING 29TH FLOOR
865 SOUTH FIGUEROA STREET
LOS ANGELES, CA 900172576

RECEIVED
DEC 2 2002
FULBRIGHT & JAWORSKI

EXAMINER

LAM, THANH

ART UNIT PAPER NUMBER

2834

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

DOCKETED FOR
12/26/02 OA



COPY

Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 11/21/02 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☐ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☒ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☐ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: _____

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

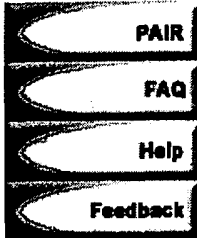
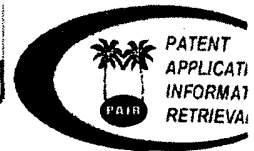
Ms. Hawkins
Legal Instruments Examiner (LIE)



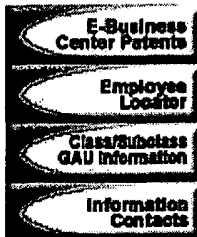
UNITED STATES PATENT AND TRADEMARK OFFICE

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PATENT APPLICATION INFORMATION RETRIEVAL



Other Links



Search results for application number: 09/865,015			
Filing or 371(c) Date:	05-23-2001	Class / Sub-Class:	310/100.000
Issue Date of Patent:	-	Location:	TC 2800 PHOENIX CE PK2-8C06
Examiner Name:	LAM, THANH	Status:	Non Final Action Mail
Group Art Unit:	2834	Attorney Docket Number:	7067-101
Earliest Publication No:	US 2002-0175578 A1	Patent Number:	-
Earliest Publication Date:	11-28-2002	Customer Number:	167
Confirmation Number:	3769		

Image File Wrapper

Continuity Data

Publication Review

File Contents History

Number	Date	Contents Description
22	01-09-2003	Mail Notice of Informal or Non-Responsive Amendment
21	01-08-2003	Date Forwarded to Examiner
20.1	12-04-2002	Informal or Non-Responsive Amendment after Examiner A
20	12-04-2002	Response after Non-Final Action
19	11-26-2002	Mail Notice of Informal or Non-Responsive Amendment
18	11-25-2002	Date Forwarded to Examiner
17.1	11-21-2002	Informal or Non-Responsive Amendment after Examiner A
17	11-21-2002	Response after Non-Final Action
16	11-21-2002	New or Additional Drawing Filed
15	11-21-2002	Request for Extension of Time - Granted
14	07-19-2002	New or Additional Drawing Filed
13	07-17-2002	Mail Non-Final Rejection
12	07-15-2002	Non-Final Rejection
11	05-30-2002	Date Forwarded to Examiner
10	05-15-2002	Response to Election / Restriction Filed
9	04-18-2002	Mail Restriction Requirement
8	04-18-2002	Requirement for Restriction / Election
7	09-25-2001	Case Docketed to Examiner in GAU
6	07-16-2001	Information Disclosure Statement (IDS) Filed
5	08-22-2001	Receipt of All Acknowledgment Letters
4	07-26-2001	Application Dispatched from OIPE
3	07-25-2001	Correspondence Address Change
2	06-05-2001	Application Scanned
1	05-23-2001	Initial Exam Team nn

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